

PN980 MARINE CORPS nomination of Robert M. Barclay, which was received by the Senate and appeared in the Congressional Record of September 5, 2017.

IN THE NAVY

PN968 NAVY nomination of Jason A. Tews, which was received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN969 NAVY nomination of Christopher P. Carroll, which was received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN970 NAVY nominations (2) beginning GABRIEL PEREZ, and ending ERIC R. TRUEMPER, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN971 NAVY nominations (91) beginning ANTON A. ADAM, and ending YING P. ZHONG, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN972 NAVY nominations (33) beginning ADRIENNE T. BENTON, and ending AARON R. WESSON, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN973 NAVY nominations (55) beginning SALAHHUDIN A. ADENKHALIF, and ending VICTOR T. F. WONG, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN974 NAVY nominations (107) beginning SANTIAGO A. ABADAM, II, and ending JAIME M. YORK, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN975 NAVY nominations (49) beginning SARAH A. AGUERO, and ending DENNIS E. WESTMAN, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN976 NAVY nominations (123) beginning JOKO A. ABUBAKAR, and ending YUI Y. WONG, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN977 NAVY nominations (77) beginning BROOKE T. AHLSTROM, and ending MARK C. WARNER, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN978 NAVY nominations (212) beginning MIGUEL M. ALAMPAY, and ending ZACHARY A. ZANFES, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 2017.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavoidably absent for rollcall vote No. 205, on the nomination of Makan Delrahim, of California, to be an Assistant Attorney General. Had I been present, I would have voted nay.

Mr. President, I was unavoidably absent for rollcall vote No. 206, the motion to invoke cloture on the nomination of Ralph Erickson, of North Dakota, to be a judge on the U.S. Court of Appeals for the Eighth Circuit. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 207, on the nomination of Ralph Erickson, of North Dakota, to be a judge on the U.S. Court of Appeals for the Eighth Circuit. Had I been present, I would have voted yea.

Mr. President, I was unavoidably absent for rollcall vote No. 208, the motion to invoke cloture on the nomination of Ajit Varadaraj Pai, of Kansas, to be a member of the Federal Communications Commission. Had I been present, I would have voted nay. •

VOTE EXPLANATION

Mr. DONNELLY. Mr. President, yesterday, September 27, 2017, I was in Indiana with the President of the United States and was unable to vote. Had I been present, I would have voted in support of Mr. Heath Tarbert's nomination to be an Assistant Secretary of the Treasury and in support of Mr. Makan Delrahim's nomination to be an Assistant Attorney General.

CONFIRMATION OF MAKAN DELRAHIM

Ms. HIRONO. Mr. President, yesterday, the Senate confirmed the nomination of Makan Delrahim to be Assistant Attorney General in charge of the Department of Justice's Antitrust Division. While I voted in favor of that nomination, I would like to explain my expectations for Mr. Delrahim and express my deep concerns about the Trump administration's approach to antitrust policy, such as it is, as he assumes that important position.

As a former antitrust lawyer myself, I know these are complex issues that benefit from a rigorous and non-political assessment, which is best done by the talented career professionals at the Department of Justice, but I am also concerned that, in what has become a much politicized Department of Justice, such an independent review may not be respected and the recommendations of career lawyers and economists can be overridden.

At every turn, the Trump administration has catered to the interests of big business over those of the American consumer, and I am very concerned about what their approach to antitrust enforcement will be. In the past, the President has made remarks about supporting or opposing particular mergers that are deeply troubling and highly political. I am particularly concerned about this haphazard approach from the President because there are a number of major proposed and rumored mergers that will be coming before the Antitrust Division in the coming months and years, par-

ticularly in the telecommunications industry, and they will require very careful and professional review independent of politics. I am also deeply concerned about the possibility that this administration will use antitrust laws as a weapon against companies it perceives as somehow unfair to it.

For example, Sinclair Broadcast Group's proposed merger with the Tribune Media Company would give Sinclair control of stations in 42 cities, expanding its reach to a total of 108 communities. In the past, Sinclair has drawn criticism for programming that benefitted then Republican Presidential candidates Donald Trump and George W. Bush. Given reports of the President's continued attacks on the press, including reports of his threats to jail journalists, it is imperative that consumers retain access to a diversity of news sources. The Department of Justice, through its Antitrust Division, must ensure that their review of this merger is free of political considerations.

However, despite those concerns, I believe Mr. Delrahim has the qualifications necessary to lead the Antitrust Division, which does the important work of preventing unlawful anti-competitive conduct and upholding our Nation's antitrust laws. Mr. Delrahim has served as a deputy assistant attorney general in the division he would now lead, as well as chief counsel and staff director for the Judiciary Committee under then-Chairman HATCH, and as an attorney in private practice working on complicated antitrust cases. He has a remarkable personal story and has received the support of many of his peers, both Democrats and Republicans.

During his nomination hearing on May 10, Mr. Delrahim promised to protect competitive markets and consumers, vigorously enforce the antitrust laws, and to cooperate with the Judiciary Committee in a bipartisan manner. I will hold him to these promises. Importantly, he told the committee that he would follow the law and his ethical responsibilities to recuse himself in cases involving his former clients. I support his nomination with the expectation that he will honor these commitments.

Mr. Delrahim also made a number of assurances in response to written questions for the record that I submitted after his hearing, questions that were based on my concerns about the anti-competitive impact of corporate mergers, as well as about actions taken by President Trump.

In response to my question about President Trump holding private meetings with the CEO of AT&T, which is planning on merging with Time Warner, and the CEOs of Bayer and Monsanto, which are planning on merging, Mr. Delrahim promised that he would conduct antitrust investigations "in a fair, professional, and impartial manner, without regard to political considerations." He promised to comply with

Department of Justice policies intended to ensure only appropriate communications with the White House.

This concern is particularly pressing because during his campaign, President Trump singled out the proposed AT&T-Time Warner merger, promising to block it. The President has also repeatedly attacked CNN, which is owned by Time Warner, and it was even reported that White House advisers have discussed the proposed merger as a “potential point of leverage” over the network. Mr. Delrahim specifically stated that he had no preordained outcome in mind for that merger investigation. He can be certain that the Department of Justice will receive particular scrutiny in its treatment of this merger. Leveraging antitrust laws to coerce or intimidate a media company goes against the foundational protections for a free press.

While Mr. Delrahim expressed that he shared my concerns about consolidation in the media and agricultural sectors, I regret that he refused to address my specific concerns about the proposed merger of Sinclair Broadcast Group with the Tribune Media Company and the effect of the proposed Bayer-Monsanto merger on prices for Hawaii farmers. I would have welcomed his comments about these types of mergers and I expect him, as head of the Antitrust Division, to give concerns about the impact of these types of mergers the attention they deserve.

As a member of the Judiciary Committee, I will continue to exercise oversight of the Department of Justice, and of the Antitrust Division in particular, to ensure that it is meeting the commitments Mr. Delrahim made during his nomination, especially as to his independence and his ability to be a fair, active, and nonpartisan ally of consumers and competitive markets. With this in mind, I supported his confirmation.

30TH ANNIVERSARY OF THE PRESIDENT'S COMMISSION ON AMERICANS OUTDOORS

Mr. ALEXANDER. Mr. President, in 1985, when I was Governor of Tennessee, I got a call from Don Hodel, the Secretary of the Interior for President Reagan. He asked me to be the chairman of ORRRC 2, a follow-up (commission to the Outdoor Recreation Resources Review Commission, which was led by Laurance Rockefeller a generation earlier. I agreed in part because of my love for the outdoors, but also because Don told me that Gil Grosvenor would serve as vice chairman of the commission and Pat Noonan would serve on the board.

The chance to work with them and the National Geographic Society made the request to serve as chairman of the commission even more attractive. My first act as chairman was to change the name from ORRRC 2 to the President's Commission on Americans Outdoors. The new name did a better job of con-

veying our mission: “to look ahead for a generation and see what needs to be done for Americans to have appropriate places to do what they want to do outdoors.”

More than a generation has passed now, and on this 30th anniversary of the commission, we can look back on the recommendations of the report and take an assessment.

Overall, the commission found that “outdoor recreation occurs close to home, in or near towns or cities where 80 percent of us soon will live. So, more and more, the solutions must be found close to home. We have concluded that the best way to assure that Americans will have adequate outdoor recreation opportunities is through a prairie fire of concern and investment, community by community. State and local governments will play a major role, but implementation of our recommendations ultimately will depend on the efforts of thousands of individual citizens, nonprofit organizations, and businesses.”

The idea that outdoor recreation occurs close to home was especially true for me.

I was one of the luckiest guys in the world growing up in Maryville, in Blount County, TN.

When you grow up next to a national park, what do you do? You grow up in the park. You spent your weekends and special times there, and most all the memories I have are related to the Smokies.

When I was 15, my dad dropped me off at Newfound Gap on the day after Christmas. I was with two other boys in 3 feet of snow, and my dad said, “I’ll pick you up in Gatlinburg,” which was 15 miles away. He did, later that afternoon.

Then, later that same year, we were in Spence Field, and we made an error in judgment. About 3 in the morning, I looked over, and I thought one of my bunkmates was moving around, but it turns out it was a bear. We left breakfast in our packs inside the tent, which is something you should never do and something I have never done since. These are memories that stick with us forever.

A generation earlier, in 1958, Congress created the Outdoor Recreation Resources Review Commission to ensure America did not neglect its heritage of the outdoors. The commission was chaired by Laurance Rockefeller. Like me, Laurance Rockefeller was fascinated with the natural world from a young age. His father, John D. Rockefeller, Jr., was an enthusiastic supporter of park-building and historic preservation. John D. Rockefeller, Jr., also had a hand in shaping my childhood outdoor memories.

1872, Congress established Yellowstone National Park, carving the park out of land already owned by the Federal Government. In the following years, Congress followed this model, protecting and preserving Federal acres out West. In the early 20th century, citizens in the eastern part of the

country began to push for national parks of their own. However, the land was already privately owned and would need to be purchased and donated to the Federal Government before a park could be created.

In the late 1920s, \$5 million was raised to create a new national park in the Smokies on the border of Tennessee and North Carolina. The two States had appropriated \$2 million each for the effort and combined that with \$1 million in private donations, but that was only half the money needed to purchase the land that was needed to create the new park.

That is when John D. Rockefeller, Jr., stepped in and matched the money that had been raised with a donation of \$5 million through the Laura Spelman Rockefeller Memorial Fund. Rockefeller's donation assured the purchase of the land and the creation of the Great Smoky Mountains National Park, where I spent my childhood and still live next to today.

Nearly 25 years after the Great Smoky Mountains National Park was established, John D. Rockefeller, Jr.'s son worked with Congress to find solutions to continue to protect our Nation's treasures. The Rockefeller Commission advocated for a Federal national recreation policy “to preserve, develop and make accessible to all Americans the resources needed for individual enjoyment and outdoor recreation.”

The Land and Water Conservation Fund and the National Wild and Scenic Rivers System grew out of the recommendations of the report. Years later, the President's Commission on Americans Outdoors reaffirmed our commitment to these Federal programs, and we also took an important step forward by recommending policies that States, towns, and individuals could adopt. We focused on State and local action, calling for investments from communities around the country to help keep our outdoors great.

First, our commission recommended land trusts, “private landowners recognizing the opportunity to provide expanded recreation resources and services to the public.” Local land trusts have been one of the fastest growing conservation tools in the past 30 years. These local land trusts work with landowners who volunteer to preserve their property through conservation easements. According to the Land Trust Alliance's “Land Trust Census,” there are over 1,300 land trusts that are active in the United States.

These 1,300 national, State, and local land trusts have conserved more than 56 million acres as of the end of 2015, an increase of 9 million acres since 2010. In Tennessee, 15 active land trusts have protected nearly 900,000 acres throughout the State. In 1999, Jeanie Nelson and former Governor Phil Bredesen founded the land trust for Tennessee. In less than 20 years, the land trust has